

Zachary L. Rowen
Direct Dial: +1.212.906.4555
zachary.rowen@lw.com

1271 Avenue of the Americas
New York, New York 10020-1401
Tel: +1.212.906.1200 Fax: +1.212.751.4864
www.lw.com

LATHAM & WATKINS LLP

FIRM / AFFILIATE OFFICES

Austin	Milan
Beijing	Munich
Boston	New York
Brussels	Orange County
Century City	Paris
Chicago	Riyadh
Dubai	San Diego
Düsseldorf	San Francisco
Frankfurt	Seoul
Hamburg	Silicon Valley
Hong Kong	Singapore
Houston	Tel Aviv
London	Tokyo
Los Angeles	Washington, D.C.
Madrid	

April 16, 2024

VIA ECF & EMAIL

Hon. Katherine Polk Failla
U.S. District Court for the Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

MEMO ENDORSED

Re: *Clark et al. v. System1, Inc.*, Case No. 1:24-cv-40 (KPF) (SDA),
Adjournment of Conference

Dear Judge Failla:

We represent Defendant System1, Inc. in the above-entitled action. On behalf of all the parties, we write to respectfully ask the Court to adjourn the April 23, 2024 conference to a date following the resolution of System1's motion to dismiss, if necessary. There has been one other request for adjournment of this conference prior to Plaintiffs' service of System1. See ECF No. 9. All parties consent to this adjournment. The reason for this request is that, as reflected in the Court's Order dated April 10, 2024, System1's response to the Complaint is now due on May 13, 2024, and System1 intends to file a motion to dismiss. Accordingly, to conserve the Court's time, the parties respectfully ask the Court to adjourn the April 23, 2024 conference.

We appreciate Your Honor's consideration of this request.

Respectfully submitted,

/s/ Zachary L. Rowen
Zachary L. Rowen
of LATHAM & WATKINS LLP

cc: All counsel of record (via ECF and Electronic Mail)

Application GRANTED. The initial pretrial conference scheduled for April 23, 2024, is hereby ADJOURNED to **May 29, 2024**, at **12:00 p.m.** As before, the conference will be telephonic. At the scheduled date and time, the parties are to call (888) 363-4749 and enter access code 5123533.

The parties shall adhere to the requirements set forth in the Notice of Initial Pretrial Conference, and shall file their joint pre-conference materials on or before **May 23, 2024**. (Dkt. #6).

The Clerk of Court is directed to terminate the pending motion at docket entry 16.

Dated: April 17, 2024
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE